

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. CR18-060RAJ
)	
v.)	ORDER CONTINUING
)	TRIAL DATE AND
SAMUEL FENTAHUN,)	DEADLINE FOR
)	PRETRIAL MOTIONS
Defendant.)	
_____)	

THIS MATTER having come before the Court on the unopposed motion filed by Defendant Samuel Fentahun for an order continuing the trial date and motions deadline in the above-captioned matter, and the Court having considered the motion, any other pleadings filed, and the waiver of Speedy Trial filed by the Defendant, the Court now finds and rules as follows:

On March 15, 2018, a five count indictment was returned against Defendant Samuel Fentahun.

Under the Speedy Trial Act, the trial of a defendant shall commence within 70 days from the date that an indictment is made public, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs. 18 U.S.C. § 3161(c)(1). Certain periods of delay are excludable from the Speedy Trial calculation. *See* 18 U.S.C. § 3161(h). In particular,

1 any period of delay resulting from a continuance is excludable if the Court makes a
2 finding that the ends of justice served by the continuance outweigh the best interest of
3 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The factors,
4 among others, which a judge shall consider in determining whether to grant a
5 continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) are set forth in § 3161(h)(7)(B)(i)-
6 (iv).

7 The parties are acting diligently. On March 27, 2018, the United States provided
8 the first discovery packet. The discovery includes over 1,200 pages of records and
9 various audio jail calls. Additional discovery is forthcoming.

10 Defense counsel advises that he has only just started reviewing this discovery and
11 will discuss it with his client before preparing pretrial motions.

12 In light of the voluminous discovery and factual complexity of the case, the
13 Court finds that failure to grant the requested continuance would deny the Defendant
14 reasonable time necessary for effective preparation, taking into account the exercise of
15 due diligence. 18 U.S.C. § 3161(h)(7)(B)(ii), (iv).

16 Therefore, the Court finds that the ends of justice served by the granting of the
17 requested continuance outweigh the best interest of the public and the Defendant in a
18 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

19 Therefore, it is hereby ORDERED that Defendant's unopposed motion to
20 continue trial date and pretrial motions deadline (Dkt. #20) is GRANTED. The trial
21 date in this matter is continued from May 21, 2018 to August 20, 2018, at 9:00 a.m.
22 All pretrial motion, including motions in limine, shall be filed no later than July 12,
23 2018.

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1 It is further ORDERED that this period of delay from the date of this order
2 through the new trial date of August 20, 2018, will be excludable time under the
3 Speedy Trial Act under Title 18, United States Code, Section 3161(h)(7)(A).

4 DATED this 3rd day of May, 2018.

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7 The Honorable Richard A. Jones
8 United States District Judge
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